

IN THE UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF TEXAS

LUFKIN DIVISION

ROBERTO PEREZ

§

VS.

§

CIVIL ACTION NO. 9:22-CV-52

BOBBY LUMPKIN, ET AL.

§

MEMORANDUM ORDER ADOPTING THE MAGISTRATE  
JUDGE'S REPORT AND RECOMMENDATION

Plaintiff Roberto Perez, a prisoner confined at the Gib Lewis Unit of the Texas Department of Criminal Justice, Correctional Institutions Division, proceeding *pro se*, filed this civil rights action pursuant to 42 U.S.C. § 1983. Plaintiff requested leave to proceed *in forma pauperis*.

The court referred this matter to the Honorable Christine L. Stetson, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this court. The magistrate judge recommends denying Plaintiff leave to proceed *in forma pauperis* pursuant to 28 U.S.C. § 1915(g) and dismissing the action unless Plaintiff paid the \$402 filing fee within fourteen days after the Report and Recommendation was entered.

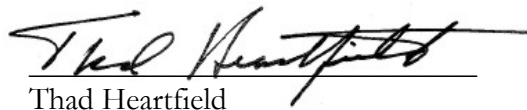
The court has received and considered the Report and Recommendation of United States Magistrate Judge filed pursuant to such order, along with the record and the pleadings. No objections to the Report and Recommendation of United States Magistrate Judge were filed by the parties.

ORDER

The findings of fact and conclusions of law of the magistrate judge are correct, and the report of the magistrate judge (Doc. #7) is **ADOPTED**. Plaintiff's Motion for Leave to Proceed *In Forma*

*Pauperis* (Doc. #2.) is **DENIED**, and the case is **DISMISSED**. A final judgment will be entered in this case in accordance with the magistrate judge's recommendation.

**SIGNED** this the **1** day of **June, 2022**.

A handwritten signature in black ink, appearing to read "Thad Heartfield", written over a horizontal line.

Thad Heartfield  
United States District Judge